

Claims 6-28 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim can not depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 29, and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Stoessl (US 3475459).

Stoessl teaches the isolation of antifungal compounds and derivatives of hordatine from barley seedlings as is claimed (see entire document). It is noted that Stoessl teaches optical isomers (see column 1, lines 52-68).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is 571-272-1411. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1794

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/Leslie Wong/
Primary Examiner, Art Unit 1794

LAW
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